

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: RN 11 23939
POSITION: Oppose

BILL NUMBER: SB 538
AUTHOR: C. Price

BILL SUMMARY: Nursing

This bill would grant investigators of the Board of Registered Nursing (Board) peace officer status, extend the sunset date of the Board until January 1, 2016, and make other changes related to the Board.

FISCAL SUMMARY

The Board indicates the provisions of this bill related to issuing cease and desist orders to schools of nursing not approved by the Board and notifying the Attorney General's (AG's) Office about such schools would result in additional, but unknown, enforcement costs. The Board further indicates that some costs would be offset by additional revenue to the Board of Registered Nursing Fund of approximately \$100,000 per year in the form of application fees, renewal fees, and processing fees for institutions of higher education or private postsecondary schools of nursing.

The provision of this bill granting peace officer status to the Board's investigators also would result in unknown retirement costs.

COMMENTS

The Department of Finance opposes this bill for the following reasons:

- This bill would result in unknown retirement costs as a result of granting peace officer retirement status to the Board's investigators.
- This bill would encourage other classifications to seek similar status. In addition, it is unclear that the duties of the Board's investigators warrant peace officer retirement status.
- This bill would result in additional costs to the Board of Registered Nursing Fund which were not included in the 2011-12 Budget Act.

Under existing law, 1) designated investigators of the Department of Consumer Affairs' Division of Investigation, Medical Board, and Dental Board all have peace officer status, 2) those entities are authorized to employ non-peace officers to provide investigative services, 3) the Board sunsets January 1, 2012, and 4) boards scheduled for repeal are evaluated by the Joint Sunset Review Committee.

This bill would: 1) grant investigators of the Board peace officer status, 2) allow the Board to employ non-peace officers to provide investigative services for the Board, 3) extend the sunset date of the Board until January 1, 2016, 4) upon repeal, require the Board to be subject to review by the appropriate policy committees of the Legislature, 5) authorize the Board to issue cease and desist orders to a school of nursing that is not approved the Board, 6) require the Board to notify the AG's office of such schools, and (7) revise definitions and requirements for Board-approved schools of nursing.

Analyst/Principal (0220) J. Fitzpatrick	Date	Program Budget Manager Lisa Ann L. Mangat	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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AUTHOR

AMENDMENT DATE

BILL NUMBER

C. Price

RN 11 23939

SB 538

		SO	(Fiscal Impact by Fiscal Year)						
Code/Department		LA	(Dollars in Thousands)						
Agency or Revenue		CO	PROP						Fund
Type	RV	98	FC	2011-2012	FC	2012-2013	FC	2013-2014	Code
1110/ConAfr-ReqBd	SO	No		-----	See Fiscal Summary	-----			0761
1257/Othr Reg Lic	RV	No	U	\$100	U	\$100	U	\$100	0761
<u>Fund Code</u>	<u>Title</u>								
0761	Registered Nursing Fund, Board of								